

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Sammie Louis Stokes,)	C/A No.: 1:16-845-RBH-SVH
)	
Petitioner,)	DEATH PENALTY CASE
)	
vs.)	
)	
Bryan P. Stirling, Director, South)	THIRD AMENDED
Carolina Department of Corrections;)	SCHEDULING ORDER
Joseph McFadden, Lieber Correctional)	
Institution,)	
)	
Respondents.)	
)	

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this court, the following amended schedule is established for this case:

1. Respondents shall file any motion for summary judgment on or before **October 6, 2017**. Petitioner's deadline to file a response to the motion for summary judgment is **October 23, 2017**. Respondents' deadline to file a reply in support of summary judgment is **October 30, 2017**.
3. On **October 6, 2017**, the parties should file separate pre-hearing briefs. Any rebuttal to the pre-hearing brief filed by the opposing party should be filed on or before **October 23, 2017**.
4. On or before **December 18, 2017**, the parties shall file a joint prehearing statement, which shall to the extent possible:
 - a. Identify counsel who will appear at the hearing;
 - b. Identify any stipulated and uncontested facts;
 - c. Identify the contested issues of fact and law;
 - d. Identify the witnesses to be called at the hearing, including a brief description of their anticipated testimony; and
 - e. Identify the exhibits to be presented at the evidentiary hearing, noting any objection by the party against whom the exhibit is to be

offered.

5. A prehearing conference is set for **10:00 a.m. on Wednesday, January 3, 2018,** before U.S. Magistrate Judge Shiva V. Hodges, by telephone conference.
6. The evidentiary hearing is set to begin **9:00 a.m. on Monday, January 8, 2018,** before United States Magistrate Judge Shiva V. Hodges at 901 Richland Street, Columbia, South Carolina on whether cause and prejudice exist to reach the merits of Petitioner's Grounds Six and Seven, and whether the merits entitle Plaintiff to habeas relief.
7. **Extensions.** Any party seeking to extend any deadline set out in this order must file a motion setting forth good cause before the expiration of the deadline sought to be extended. The parties are encouraged to file any requests for extension as soon as it becomes apparent that an extension will be needed.

IT IS SO ORDERED.



September 20, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge